

**CITY OF MOUNTAIN VIEW
FINDINGS REPORT/ZONING PERMIT**

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APPLICATION NO.:

PL-2023-200

DATE OF FINDINGS:

July 24, 2024

EXPIRATION OF ZONING PERMIT:

July 24, 2026

THIS DOCUMENT REPRESENTS THE ZONING PERMIT RECEIVED FOR THE SUBJECT SITE. THIS DOCUMENT DOES NOT WAIVE THE REQUIREMENT FOR SUBSEQUENT CITY APPROVALS AS APPLICABLE, INCLUDING, BUT NOT LIMITED TO, BUILDING PERMITS, EXCAVATION PERMITS, ETC.

Applicant's Name:

Yanyan Zhang of InoBotics LLC

Property Address:

Assessor's Parcel No(s).:

Zone:

2224 Old Middlefield Way, Suite G

147-07-079

CS

Request:

Request for a Conditional Use Permit to allow a specialized education and training use, a K-12 tutoring center, in an existing multi-tenant commercial building.

APPROVED

CONDITIONALLY
APPROVED

DISAPPROVED

OTHER

FINDINGS OF APPROVAL:

The Conditional Use Permit to allow a specialized education and training use, a K-12 tutoring center, is conditionally approved based upon the conditions contained herein and upon the following findings per Section 36.48.25:

- A. The proposed use is conditionally permitted within the Commercial Services (CS) Zoning District and complies with all of the applicable provisions of Chapter 36 (Zoning) of the City Code because the tutoring center is a conditionally permitted use in the CS Zoning District. It is located within an existing multi-tenant commercial building with compliant parking and does not propose any exterior modifications;
- B. The proposed use is consistent with the General Commercial Land Use Designation of the General Plan because the Land Use Designation encourages a broad range of commercial uses and is consistent with General Plan Policy LUD 3.2, Mix of Land Uses, which encourages a mix of land uses accessible to the community, as the tutoring center will provide educational service accessible to nearby residents in an existing multi-tenant commercial building occupied by offices, music, and dance studios;
- C. The location, size, design, and operating characteristics of the proposed use are compatible with the site, building character, and environmental conditions of existing and future land uses in the vicinity because the proposed use is located in an existing multi-tenant commercial building with other studio uses; has adequate parking on-site; is not anticipated to create adverse noise impacts to nearby residential uses; and is along the Old Middlefield Way commercial corridor to provide educational service to adjacent residents within walking distance;
- D. Any special structure or building modifications necessary to contain the proposed use would not impair the architectural integrity and character of the zoning district in which it is to be located because the use will be located in an existing tenant space, and no exterior building or site modifications are proposed; and
- E. The approval of the Conditional Use Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15301 ("Existing Facilities") because the project is located in an urbanized area and involves occupancy of an existing tenant space; does not involve the use of hazardous materials; is not located where the

Owner

Agent

File

Fire

Public Works

surrounding areas are environmentally sensitive; and the scope of work is limited to interior improvements only to accommodate the proposed tutoring center.

This approval is granted to allow a specialized education and training use, a K-12 tutoring center, located on Assessor's Parcel No. 147-07-079. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- a. Project plans prepared by Shaum Mehra of San Francisco Design Bureau, date stamped May 16, 2024.
- b. Business Description Letter prepared by Yanyan Zhang, date stamped May 16, 2024.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Planning Division—650-903-6306 or planning.division@mountainview.gov

1. **APPLICABILITY OF THIS PERMIT:** This Permit shall apply to any business/owner entity whose use and operational characteristics match those of the approved use. Intensification of the approved use shall require an amendment to this Permit. A change to a different permitted use may require a new Permit. This Permit shall continue to be valid upon a change of ownership/operator of the site, business, service, use(s), or structure that was the subject of this approval provided the new owner/operator agrees in writing to all applicable conditions and operating standards prior to reopening or maintaining the use or structure(s) under the new ownership. Any new owner/operator must submit a wet (original) signed letter to the Planning Division noting agreement with the enclosed conditions which includes notation of this permit number and the new business/operator name. This letter may be requested by the City at any time.
2. **EXPIRATION:** This permit is valid for a period of two years from the date of approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period unless a permit extension has been submitted to and approved by the Zoning Administrator at a duly noticed public hearing prior to the expiration date.
3. **PERMIT EXTENSION:** Zoning permits may be extended for up to two years after an Administrative Zoning public hearing, in compliance with procedures described in Chapter 36 of the City Code. An application for extension must be filed with the Planning Division, including appropriate fees, prior to the original expiration date of the permit(s).
4. **ABANDONMENT OF USE:** The approved use shall be considered abandoned if the approved use in this tenant space (or building) ceases for a period of six months or more, at which point this Permit shall have expired and a new Permit shall be required. Determination of the abandonment of the use shall be based on the best available data, which may include business license, tax payment records, utility records, and other government agency permits or licenses.

PERMIT SUBMITTAL REQUIREMENTS

5. **TENANT IMPROVEMENTS:** Details of interior tenant improvements are to be shown on building permit drawings and shall be reviewed for consistency with the operational characteristics of the proposed use by the Zoning Administrator, or designee, prior to permit issuance.
6. **ACCESSORY STRUCTURE(S):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.
7. **ZONING INFORMATION:** The following information must be listed on the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning district designation; (c) total floor area ratio and residential density in units per acre, if applicable; (d) lot area (in square feet and acreage); and (e) total number of parking spaces.
8. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a duly noticed public hearing, which can be referred to the City Council.

9. **SIGNAGE:** No signs are approved as part of this application. Any new signage will require separate planning and/or building permits. Application form and submittal requirements are available online at www.mountainview.gov/planningforms.

OPERATIONS

10. **OPERATIONAL CRITERIA:** In the event that problems with the operational criteria of the business arise, including, but not limited to, parking shortages, delivery truck issues, hours of operation, or noise, the Zoning Administrator may hold a public hearing to review the situation and impose new or modified conditions of approval in response to the information received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code.
11. **DAYS/HOURS OF OPERATION:** The approved days and hours of operation are from 3:00 p.m. to 8:30 p.m. on weekdays and from 9:00 a.m. to 8:30 p.m. on weekends. Any proposed change to the approved days and/or hours of operation will require review and approval by the Zoning Administrator and may require a modification to this permit.

GREEN BUILDING

12. **GREEN BUILDING—TENANT IMPROVEMENTS:** All nonresidential tenant improvements, including building additions of 1,000 square feet or greater, and/or building alterations with a permit valuation of \$200,000 or above, must meet the mandatory measures of the California Green Building Standards Code and Title 24, Part 6.

NOISE

13. **MECHANICAL EQUIPMENT (NOISE):** The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining residentially used property.
14. **NOISE GENERATION:** All noise-generating activities (i.e., entertainment or amplified sound) are limited to interior areas only, and the heating, ventilation, and air conditioning system shall be maintained to ensure that all windows and doors remain closed when the business is in operation.

Fire Department—650-903-6343 or fire@mountainview.gov

FIRE PROTECTION SYSTEMS AND EQUIPMENT

15. **FIRE EXTINGUISHERS:** Install one 2-A:10-B:C fire extinguisher for every 50'/75' of travel or every 3,000 square feet. Fire extinguisher locations shall be indicated on the architectural floor plans. (California Code of Regulations, Title 19, Chapter 3, and California Fire Code, Section 906.)

FIRE DEPARTMENT ACCESS

16. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. (California Fire Code, Section 506.)

EGRESS AND FIRE SAFETY

17. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the electrical plan sheets in the drawing sets. (California Building Code, Section 1008.)
18. **EXIT SIGNS:** Exit signs shall be internally or externally illuminated and provided with battery backup per Uniform Building Code Chapter 10. Exit signs shall be posted above each required exit doorway and wherever otherwise required to clearly indicate the direction of egress. (California Building Code, Section 1013.)

EXTERIOR IMPROVEMENTS

19. **PREMISES IDENTIFICATION:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of 6" in height and a minimum of 0.5" in width. (Mountain View City Code, Section 14.10.18.)

SOLID WASTE AND RECYCLING

20. **RECOLOGY MOUNTAIN VIEW:** The applicant/contractor must be in compliance and shall include the following as a note on the building permit and improvement plans: "Recology Mountain View is the City's exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Recology. Using another hauler may violate City Code Sections 16.13 and 16.17 and result in code enforcement action."
21. **MOUNTAIN VIEW GREEN BUILDING CODE/CONSTRUCTION AND DEMOLITION ORDINANCE:** If this project is subject to the requirements of the Mountain View Green Building Code, a Construction and Demolition Waste Management Plan shall be submitted with the building permit application and approved by the Public Works Solid Waste and Recycling Division prior to the issuance of a building permit. A Final Construction and Demolition Waste Management Plan shall be submitted and approved prior to final inspection.
22. **TRASH ROOMS AND/OR ENCLOSURES:** Trash rooms and/or enclosures shall be used only for trash, recycling, and compost containers and shall not be used for storage at any time. Access door to the trash facility shall be clearly labeled "Trash Room."
23. **TRASH ENCLOSURE DESIGN AND DETAILS:** Trash plan sheet and enclosure details must be included on a separate sheet in the initial building plans and include the following:
- The property management shall provide adequate trash and recycling service for all tenants. This tenant must have a minimum of one 32-gallon individual trash cart serviced once per week.
 - For the recycling, which is shared by the tenants, the hauler, Recology, stated that it appears adequate. However, if there are overload issues with the new tenant, the property shall be required to increase to a service level sufficient to separate all recyclable materials generated on-site from the trash.
 - On the building plans, show footprint of where the 32-gallon trash cart (dimensions 20" W x 25" D x 39" H) will be stored inside the unit. This trash cart must be set out for the hauler's collection service each week and removed promptly after pickup.
 - To comply with the mandatory composting ordinance, the trash account holder (property manager) should apply for a waiver from these requirements if the business tenants on-site generate a "de minimis amount" or less than 20 gallons of total compostable material weekly. The waiver form is available online at MountainView.gov/ZeroWasteBusiness.
 - Overhead clearance for travel way must be no less than 15' from finished grade to structural appurtenances (e.g., cameras, sprinklers, electrical). Overhead clearance in the collection area must be no less than 22'.

OTHER

24. **BUILDING PERMIT FOR TENANT IMPROVEMENTS:** For any future building permits exceeding the threshold of 600 square feet of addition or equivalent cost thereof, the Public Works Department will require utility improvements and may require street improvements. The required improvements may include, but are not limited to, the following: inspection of the existing sanitary sewer lateral to determine the condition of its reuse. Otherwise, a new lateral and cleanout will be required. Install backflow prevention (BFP) devices on all existing water services if it is not already present to protect the City water supply. Red curbs adjacent to the driveway entrance shall be painted a minimum of 10' in each direction, or as determined and approved by the City Traffic Engineer. All egress points to public streets or public easements shall be STOP-controlled with proper signage and markings in order to control conflict points with pedestrians, bicyclists, and vehicles as they enter a public roadway and, therefore, improve safety.

NOTE: Decisions of the Zoning Administrator may be appealed to the City Council in compliance with Chapter 36 of the City Code. An appeal shall be filed in the City Clerk's Office within 10 calendar days following the date of mailing of the findings. Appeals shall be accompanied by a filing fee. No building permits may be issued or occupancy authorized during this appeal period.

NOTE: As required by California Government Code Section 66020, the applicant is hereby notified that the 90-day period has begun as of the date of approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of this approval or as a condition of approval. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.

AMBER BLIZINSKI, ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR

AB/HZ/6/FDG
PL-2023-200

DRAFT